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8 **UNITED STATES DISTRICT COURT**
9 **FOR THE WESTERN DISTRICT OF WASHINGTON**
10 **SEATTLE DIVISION**
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13 **COLLEGE REPUBLICANS OF THE**
14 **UNIVERSITY OF WASHINGTON; CHEVY**
15 **SWANSON**, an Individual;

16 Plaintiffs,

17 vs.

18 **ANA MARI CAUCE**, in her official capacity as
19 president of the University of Washington;
20 **GERALD J. BALDASTY**, in his official
21 capacity as provost and executive vice president;
22 **RENE SINGLETON**, individually and in her
23 official capacity as assistant director, Student
24 Activities; **CHRISTINA COOP**, individually
25 and in her official capacity as senior activities
26 advisor, Student Activities; **JOHN N. VINSON**,
27 individually and in his official capacity as Chief
28 of the University of Washington, Seattle, Police
Department; **CRAIG WILSON** individually and
in his official capacity as University of
Washington, Seattle, Police Department Patrol
Commander; and DOES 1-25;

Defendants.

Case No.:

**[PROPOSED] TEMPORARY
RESTRAINING ORDER AND ORDER TO
SHOW CAUSE FOR PRELIMINARY
INJUNCTION**

[42 U.S.C. 1983]

1 Upon consideration of Plaintiffs' Motion for a Temporary Restraining Order and
 2 Preliminary Injunctive relief, the parties' briefing, and oral argument, this Court finds that
 3 Plaintiffs have demonstrated a need for preliminary injunctive relief in this case in that
 4 Plaintiffs will suffer immediate and irreparable injury due to the arbitrary application of
 5 Defendants' vague security fee policy which is both facially unconstitutionally vague in that it
 6 vests unbridled discretion with government officials and was unconstitutional as applied
 7 against Plaintiffs in that it constitutes a de facto suppression of Plaintiffs' constitutional rights
 8 of expression, association and assembly without regard to Plaintiffs' rights to due process and
 9 equal protection.

10 Accordingly, the Court finds that Plaintiffs have established the likelihood of success
 11 on their claims since Defendants have violated the Free Speech Clause of the First Amendment
 12 to the U.S. Constitution by the arbitrary and excessively large assessment of security fees upon
 13 Plaintiffs in connection with their event scheduled for Saturday, February 10, 2018.

14 The balance of equities tips sharply in Plaintiffs' favor and the public interest favors an
 15 injunction.

16 IT IS ORDERED that Plaintiffs' Motion for Temporary Restraining Order is GRANTED as
 17 follows:

- 18 1. Defendants shall grant Plaintiffs a permit to present their Freedom Rally on Saturday
 19 afternoon at Red Square within the UW Seattle campus;
- 20 2. Defendants shall assess a security fee only on the basis of objective criteria that does not
 21 take into account the amount of anticipated security needed due to protesters
 22 attempting to disrupt the event, cause it to be canceled or causing violence. Said

1 assessment shall be reviewed by the Court as evidence at the hearing on the
2 preliminary injunction;

3
4 3. Defendants shall furnish security at Plaintiffs event Saturday, February 10, 2018, as
5 deemed necessary and adequate to respond to all foreseeable safety issues.

6 IT IS FURTHER ORDERED that bond shall be waived.

7 A preliminary injunction hearing is set for February __, 2018, at _____ AM/PM.
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9 Unless otherwise directed by the Court, counsel for the parties shall appear for that hearing in
10 person. The parties may file a motion, response, and reply papers regarding a preliminary
11 injunction; if no such filings are made, the Court shall deem the existing filings as preliminary
12 injunction papers.
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15 IT IS SO ORDERED. The District Court Executive is directed to enter this order and
16 provide copies of the same to counsel of record.
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18 DATED this ____ day of February 2018.

19 _____
20 UNITED STATES DISTRICT JUDGE
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